

UNITED STATES DISTRICT COURT

for

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Oct 17, 2018

SEAN F. McAVOY, CLERK

U.S.A. vs. Chavez, Cesar Cardenas Docket No. 0980 4:18CR06039-002

Petition for Action on Conditions of Pretrial Release

COMES NOW Daniel M. Manning, PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant Cesar Cardenas Chavez, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge Mary K. Dimke sitting in the court at Yakima, Washington, on the 27th day of July 2018, under the following conditions:

Condition #9: Defendant shall refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. §802, unless prescribed by a licensed medical practitioner in conformance with Federal Law. Defendant may not use or possess marijuana, regardless of whether Defendant has been authorized medical marijuana under state law.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

(If short insert here; if lengthy write on separate sheet and attach.)

Violation #1: The defendant is alleged to be in violation of his conditions of pretrial supervision in the Eastern District of Washington by consuming marijuana, on or about August 15, 2018, September 11, 2018, and September 26, 2018.

Conditions of release were reviewed with Defendant on July 30, 2018. He acknowledged an understanding of his conditions, which included condition number 9. Defendant was also referred to First Step Community Counseling Services for random urinalysis testing on the same date. He was instructed to call First Step daily, and to report into their office for testing when the color "brown" was called.

Defendant provided his initial UA test on July 31, 2018, which tested positive for THC and cocaine. Defendant admitted to the use of these substances on or about July 26, 2018. Defendant subsequently submitted random urinalysis tests on August 9, 15, and 30, 2018, and September 11, 19, and 26, 2018. All of these tests returned as positive for THC. A request was submitted to Alere Toxicology Services on September 25, 2018, for an interpretation of the urine test results. It was the opinion of the director of toxicology that the defendant reused marijuana before his tests on August 15, 2018, and September 11, 2018.

A separate request was sent to Alere Toxicology Services on October 11, 2018, for interpretation of the results received from defendant's positive urine sample on September 26, 2018. It is the opinion of the director of toxicology that the defendant used marijuana prior to his test on September 26, 2018. Defendant has denied use of all substances since his admission to use of cocaine and marijuana on or about July 26, 2018.

PRAYING THAT THE COURT WILL ORDER NO ACTION AT THIS TIME

I declare under the penalty of perjury
that the foregoing is true and correct.

Executed on: October 17, 2018

by s/Daniel M. Manning

Daniel M. Manning
U.S. Pretrial Services Officer

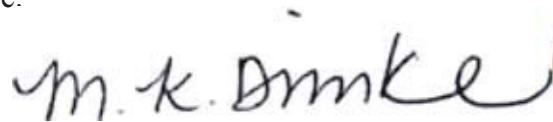

Re: Chavez,, Cesar Cardenas

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THE COURT ORDERS

- ☒] No Action
- ☐] The Issuance of a Warrant
- ☐] The Issuance of a Summons
- ☐] The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐] Defendant to appear before the Judge assigned to the case.
- ☐] Defendant to appear before the Magistrate Judge.
- ☐] Other

Signature of Judicial Officer

10/17/2018

Date